

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of)
)
Advanced Methods to Target and Eliminate) CG Docket No. 17-59
Unlawful Robocalls)
)

**REPLY COMMENTS OF
THE USTELECOM ASSOCIATION**

The USTelecom Association (USTelecom)¹ submits these reply comments in response to the Public Notice (Notice) released by the Consumer and Governmental Affairs Bureau (Bureau) of the Federal Communications Commission (Commission) in the above-referenced proceeding.² Through its Notice, the Bureau solicits input for a staff report (Report) on robocalling as required by the Commission’s Call Blocking Order released last year.³ The Bureau in particular seeks comment on the effect of various initiatives, notable trends on robocalls, as well as enforcement and remaining challenges to addressing the illegal robocall problem.

As evident from the initial comments filed in this proceeding, while certain challenges remain in the battle against illegal robocalls, important progress continues. To paraphrase

¹ USTelecom is the premier trade association representing service providers and suppliers for the telecommunications industry. USTelecom members provide a full array of services, including broadband, voice, data and video over wireline and wireless networks.

² Public Notice, *Consumer and Governmental Affairs Bureau Seeks Input for Report on Robocalling*, DA 18-638 (released June 20, 2018) (*Notice*).

³ Report and Order and Further Notice of Proposed Rulemaking, *Advanced Methods to Target and Eliminate Unlawful Robocalls*, 32 FCC Rcd 9706, 9727 (2018).

Verizon’s assessment, while no single or simple answer exists to the complex robocall problem, industry is committed to addressing it on every available front.⁴

The record in this proceeding demonstrates that. In particular, multiple commenters provided the Bureau with detailed updates regarding the growing deployment and availability of consumer tools, as well as updates on the industry efforts related to the ongoing deployment of the Signature-based Handling of Asserted Information Using toKENs (SHAKEN) standard, and the Secure Telephone Identity Revisited (STIR) standard. Finally, several commenters emphasized the need for criminal enforcement of illegal robocallers.

I. Commenters Agree that a Growing Number of Effective Tools are Available to Consumers Across Multiple Platforms and Services.

A broad range of commenters agree that a growing array of tools are available to consumers. Commenters noted that these tools are increasingly provided to consumers – often at no cost – by their respective voice providers, as well as by a growing number of third party developers.⁵ The record also demonstrates that while tools are widely available on both wireless and IP platforms, tools are also available and are being actively deployed on traditional time-division multiplexing (TDM) networks.

Several companies highlighted the broad array of tools available today to their subscribers. For example, Verizon notes that since “technology is part of the answer,” it “offers industry-leading blocking and labeling tools to its wireline and wireless customers, deploys anti-spoofing technologies, and leverages its best-in-class feedback website to rapidly identify and

⁴ Verizon Comments on Public Notice, CG Docket No. 17-59, p. 1 (submitted July 20, 2018) (*Verizon Comments*).

⁵ See e.g., *Verizon Comments*, pp. 2 – 5; Comments of CTIA, CG Docket No. 17-59, pp. 3 – 6 (submitted July 20, 2018) (*CTIA Comments*); Comments Of First Orion Corp, CG Docket No. 17-59, pp. 1 – 2 (submitted July 20, 2018) (*First Orion Comments*).

reverse any incorrect blocking or labeling.”⁶ In addition to services offered to its wireless customers, Verizon also provides its wireline customers with its “Spam Alerts service,” which helps customers protect themselves from potentially malicious robocalls. Verizon notes that its service is available at no additional charge to all landline voice customers with Caller ID, regardless of whether they use fiber or copper facilities.⁷ The service updates a customers’ Caller ID displays to show the phrase “SPAM?” before a caller’s name if the calling number matches certain criteria designed to identify likely spam. In addition,

Similarly, AT&T provides a comprehensive overview of the various ways in which it empowers consumers through the deployment of tools and blocking of illegal calls in its network. AT&T states that it recognizes its customers “need more than one tool in their toolbox to combat illegal and unwanted robocalls,” and therefore offers “multiple call blocking options across its platforms.”⁸ It then notes that customers of its “post-paid mobile wireless, interconnected VoIP, and legacy telephone services all have access to such consumer tools, many of which are available at no charge to the customer.”⁹ In particular, AT&T notes the availability of its AT&T Call Protect for its post-paid mobile wireless customers, Digital Phone Call Protect to its home phone and consumer VoIP customers, and AT&T Smart Call Blocker Phones.¹⁰

Several other voice providers and third-party developers also emphasize the availability of consumer tools. Comcast, for example, offers Nomorobo with its residential voice product

⁶ *Verizon Comments*, p. 1.

⁷ *Id.*, pp. 2 – 3.

⁸ Comments of AT&T, CG Docket No. 17-59, p. 2 (submitted July 20, 2018) (*AT&T Comments*).

⁹ *AT&T Comments*, p. 2.

¹⁰ *Id.*, pp. 2 – 5.

(XFINITY Voice) at no additional cost to its customers.¹¹ Comcast emphasizes that “hundreds of thousands of Comcast customers that have signed up for Nomorobo already,” and the company estimates that the service blocked over 10 million fraudulent robocalls in June 2018 alone.¹² Similarly, the American Cable Association (ACA) states that its members “of all sizes are using available tools to reduce their customers’ exposure to unwanted robocalls.”¹³ ACA further notes that several of its members are deploying services to their customers provisioned by Metaswitch, while still others have enabled access to Nomorobo.¹⁴

On the wireless front, PrivacyStar notes that “over 56 million subscribers are protected by T-Mobile’s Scam ID and Scam Block services provided by First Orion – at no cost to the subscriber.”¹⁵ Sprint notes that it has partnered with TNS/Cequint to “enhance its Premium Caller ID product that allows Sprint customers to subscribe to an optional, paid service that empowers Sprint customers to receive information about the type of caller that is attempting to reach them and to set up preferences to send those calls to voicemail or to block them entirely, category by category.”¹⁶ In addition, several commenters emphasized the growing availability of third-party applications for consumers on wireless devices that can address illegal and unwanted robocalls. CTIA – the Wireless Association (CTIA) in particular notes that application platforms have seen a 495% increase in the number of available call blocking apps between October 2016

¹¹ Comments of Comcast Corporation, CG Docket No. 17-59, p. 4 (submitted July 20, 2018) (*Comcast Comments*).

¹² *Id.*, p. 5.

¹³ Comments of the American Cable Association, CG Docket No. 17-59, p. 5 (submitted July 20, 2018) (*ACA Comments*).

¹⁴ *Id.*, pp. 5 – 6.

¹⁵ *First Orion Comments*, p. 3.

¹⁶ Comments of Sprint Corporation, CG Docket No. 17-59, pp. 4 – 5 (submitted July 20, 2018) (*Sprint Comments*).

and March 2018 – with the number of such applications increasing from 85 in 2016, to 550 in 2018.¹⁷

Finally, USTelecom agrees with several commenters who emphasize the importance of consumer education.¹⁸ Verizon, for example, notes that the Commission and the Federal Trade Commission (FTC) have “correctly focused on raising customer awareness of their options, including with the successful Stop Illegal Robocalls Expo in April 2018.”¹⁹ Several companies, including AT&T and Verizon, discuss some of the various initiatives they have undertaken to increase consumer awareness of this issue.²⁰ Similarly, CTIA notes that it has updated its webpage devoted to increasing awareness of robocall prevention tools and provides consumers with instructions on how to stop robocalls.²¹

¹⁷ *CTIA Comments*, p. 4.

¹⁸ *See e.g., Verizon Comments*, pp. 4 – 5, Exhibit A (recognizing that “consumer education may be particularly beneficial if provided at the moment consumers are complaining about robocalls,” and discussing some of the materials developed by Verizon to educate consumers); *see also, CTIA Comments*, p. 10 (noting that “one of the strongest tools to mitigate illegal robocalls is consumer education.”); *AT&T Comments*, p. 5 (discussing a variety of consumer education efforts undertaken by AT&T).

¹⁹ *Verizon Comments*, p. 4.

²⁰ *See e.g. AT&T Comments*, p. 5 (discussing AT&T’s website that provides customers with easy access to consumer information and tips about identifying and avoiding unwanted calls, as well as alerts on recently identified scams. AT&T’s website also provides links to other important consumer resources, as well as instructions for reporting various types of fraud (including telephone call fraud); *see also, Verizon Comments*, p. 5 (discussing a Verizon-developed package of consumer education materials to help consumer-facing personnel, such as staffers at consumer protection agencies or in constituent-services offices, effectively counsel consumers about robocalls.).

²¹ *CTIA Comments*, p. 5, n. 11.

II. Advances are Being Made in the Implementation and Deployment of the SHAKEN and STIR Standards.

Multiple parties also discussed the ongoing progress being made with respect to the SHAKEN and STIR standards and best practices.²² Several parties, including the Alliance for Telecommunications Industry Solutions (ATIS) and CTIA, provide detailed overviews on the status of implementation of the SHAKEN and STIR standards.²³ Notably, the formation of a Secure Telephone Identity Governance Authority (STI-GA) – which is a key component of the SHAKEN ecosystem – has been established under the auspices of ATIS, and representatives from a broad range of industry sectors have been appointed to the STI-GA Board of Directors. Appointees have commenced holding discussions in order to establish the details of the STI-GA operations.

USTelecom agrees with the various commenters who note that the SHAKEN and STIR standards will not be a panacea to the robocall problem.²⁴ However, USTelecom shares the view that these standards should improve the reliability of the nation’s communications system by better identifying legitimate traffic,²⁵ and enhancing the ability of stakeholders (such as

²² See e.g., *Verizon Comments*, p. 6; *Comcast Comments*, pp. 3 – 4; *ACA Comments*, pp. 4 – 5; *CTIA Comments*, pp. 6 – 9; *AT&T Comments*, pp. 5 – 6.

²³ See, *Comments of the Alliance for Telecommunications Industry Solutions*, CG Docket No. 17-59, pp. 3 – 5 (submitted July 20, 2018); see also, *CTIA Comments*, pp. 6 – 10.

²⁴ See e.g., *Sprint Comments*, pp. 1 – 3; see also, *Verizon Comments*, p. 6 (stating that because of “the uncertainties about the timing and scope of many voice providers’ STIR/SHAKEN deployments, however, and the fact that even a fully-deployed STIR/SHAKEN standard will not be a panacea, the Commission and industry should not over-rely on its promise. Instead, we should complement STIR/SHAKEN with other techniques for addressing the spoofing problem.”); see also, *First Orion Comments*, p. 2 (pointing out that “even after [SHAKEN] is fully deployed, it will only be one more piece of intelligence in our scam identification algorithms.”).

²⁵ See e.g., *Comments of Numeracle, Inc.*, CG Docket No. 17-59, pp. 6 – 7 (submitted July 20, 2018); see also, *Comments of Comment of Professional Association for Customer Engagement*, CG Docket No. 17-59, pp. 7 – 8 (submitted July 20, 2018).

USTelecom’s Industry Traceback Group) to identify illegal robocalls and the sources of untrustworthy communications.

With respect to deployment timelines associated with the SHAKEN and STIR standards, a “wide swath of the ecosystem has publicly committed to implementation” of SHAKEN and STIR commencing in 2018, and continuing through 2019. Fourteen industry stakeholders have already committed to specific timelines for SHAKEN and STIR, or otherwise expressed support for its implementation.²⁶ These companies include stakeholders from a broad range of industry, including cable, wireline and wireless providers, as well as equipment manufacturers and others.

III. Criminal Enforcement Against Illegal Robocallers is Warranted, and Industry Stands Prepared to Assist in These Efforts

The record in this proceeding also demonstrates strong support for coordinated, targeted and aggressive criminal enforcement of illegal robocallers at the federal level. USTelecom continues to believe that given the felonious nature of their activities, criminal syndicates engaged in illegal robocalling activity should be identified, targeted and brought to justice through criminal enforcement efforts.

USTelecom agrees with AT&T, which notes that “developing cases at the industry level, coupled with enforcement action, may be the most productive way to reduce illegal robocalls at the source, as tracebacks often point to a limited number of bad actors as the perpetrators of a large number of illegal robocalls.”²⁷ Moreover, Verizon correctly notes that the “criminal law enforcement agencies’ expertise in following money flows and bringing criminal charges against

²⁶ *CTIA Comments*, pp. 8 – 9.

²⁷ *AT&T Comments*, p. 7.

fraudsters would be an invaluable complement to this Commission’s and the FTC’s expertise identifying and tracing back robocall-related misconduct.”²⁸

Both the Commission and the FTC have “teams of sophisticated enforcers doing excellent work rooting out robocallers who violate the Telephone Consumer Protection Act (TCPA) and the Truth in Caller ID Act.”²⁹ USTelecom believes that effective and powerful criminal enforcement against illegal robocallers could be achieved by combining the technical expertise within the Commission and the FTC, with the criminal law enforcement tools available to other federal agencies such as Treasury’s Inspector General for Tax Administration (TIGTA) and the Federal Bureau of Investigation (FBI).

Indeed, on the same day that initial comments were filed in this proceeding, the Department of Justice announced that twenty-one members of a “massive India-based fraud and money laundering conspiracy that defrauded thousands of U.S. residents of hundreds of millions of dollars” were sentenced to terms of imprisonment up to 20 years.³⁰ Attorney General Jeff Sessions stated that the “stiff sentences imposed this week represent the culmination of the first-ever large scale, multi-jurisdiction prosecution targeting the India call center scam industry,” and that the case represented “one of the most significant victories to date in our continuing efforts to combat elder fraud and the victimization of the most vulnerable members of the U.S. public.”³¹

²⁸ *Verizon Comments*, p. 8.

²⁹ *Id.*

³⁰ Department of Justice Press Release, *24 Defendants Sentenced in Multimillion Dollar India-Based Call Center Scam Targeting U.S. Victims*, July 20, 2018 (available at: <https://www.justice.gov/opa/pr/24-defendants-sentenced-multimillion-dollar-india-based-call-center-scam-targeting-us-victims>) (visited August 20, 2018).

³¹ *Id.*

USTelecom applauds efforts such as these, and stands prepared to work with and assist federal agencies in putting these predatory criminals behind bars. Indeed, this criminal prosecutorial effort – which was given “significant support” by both the Commission and TIGTA – proves that through appropriate collaboration, these criminal elements can be located, identified, and aggressively prosecuted. USTelecom agrees with Verizon that if “criminal enforcement agencies join this Commission and the FTC to conduct robocall fraud investigations, such joint enforcement – especially if coupled with stronger private sector traceback activity – could reduce the number of illegal robocalls American consumers receive.”³²

IV. Conclusion

Given the widely accepted view that no silver bullet can single-handedly address the robocall problem, efforts are needed across multiple fronts. The record in this proceeding shows that while challenges still remain, consumers are increasingly benefitting from the deployment and availability of robocall analytic tools. Moreover, consumers, industry and law enforcement agencies will benefit from the deployment of the SHAKEN and STIR standards in the years ahead. USTelecom maintains that one of the most effective tools in the robocall toolbox continues to be criminal law enforcement. Through a holistic approach that involves consumer empowerment, technological sophistication, and coordinated criminal enforcement, advances in the fight against robocalls can be achieved.

³² *Verizon Comments*, p. 9.

Respectfully submitted,

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